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APPLICATION NO.	I	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/831,452 06/10/2001		06/10/2001	Kazuo Sugamura	2001-0572A	4276
513	7590	08/19/2003			
WENDER		ND & PONACK, I	EXAMINER		
SUITE 800	CEEI N. V	٧.	KAPUST, RACHEL B		
WASHING	TON, DC	20006-1021			
	·			ART UNIT	PAPER NUMBER
				1647	
			DATE MAILED: 08/19/2003		

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary    Rachal   Stapust   Art Unit   Rachal   Stapust   1647		Application No.	n No. Applicant(s)					
Rachel B. Kapust   1647   Period for Raply   A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM   THE MALLING DATE of this communication appears on the cover shoet with the correspondence address Period for Raply   A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM   THE MALLING DATE Of THIS COMMUNICATION.	Office Action Communication	09/831,452	SUGAMURA ET AL.					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ± MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Editations of the map by a solidate under the protection of ± CFR 1.136(a). In or event, however, may a reply be timely filed  • the period for reply appelled above is set bins theiry (D) days, as reply within the statistory reminium of thing (D) days will be considered timely.  • If the period for reply appelled above, the maderim catalitory period will apply and will expense (S) (MONTH'S from the manifold and of this communication.  • If NO period for reply appelled above, the maderim claritory period will apply and will expense (S) (MONTH'S from the manifold and of this communication.  • If NO period for reply appelled above, the maderim claritory period will apply and will expense (S) (MONTH'S from the manifold and of this communication.  • If NO period for reply appelled above, the maderim claritory period will apply and will expense (S) (MONTH'S from the manifold and of this communication.  • If NO period to reply apply the communication (S) filed on	Office Action Summary	Examiner	Art Unit					
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  - Edunations of them may be sublished worth the proteins of 37 CPR 1.13(a). In no event, however, may a reply be timely find alberts of them may be sublished worth the proteins of 37 CPR 1.13(a). In no event, however, may a reply be timely find alberts of them may be sublished with the proteins of 37 CPR 1.13(a). In no event, however, may a reply be timely find alberts Sk (6) MONTH form the mailing date of this communication.  - Failure to reply within the statute of the mailing date of this communication, even if dimely field, may reduce aim?  - Failure to reply within the statute of the mailing date of this communication, even if dimely field, may reduce aim?  - Any reply scence by the Other Total(a).  - This action is FINAL.  - 2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  - 4) All Status Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  - 4) Claim(s) 1-14 is/are pending in the application.  - 4a) Of the above claim(s) is/are withdrawn from consideration.  - 5) Claim(s) is/are allowed.  - 6) Claim(s) is/are allowed.  - 7) Claim(s) is/are objected to .  - 8) Claim(s) is/are allowed.  - 8) Claim(s) is/are subjected to by the Examiner.  - 10) The drawing(s) filed on								
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2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)  5) Notice of Informal Patent Application (PTO-152)  6) Other:								
	Notice of Draftsperson's Patent Drawing Review (PTO-948)     Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of Informal P						

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## **DETAILED ACTION**

## Election/Restrictions

Restriction is required under 35 U.S.C. 121 and 372.

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group 1, claims 1-5 and 13, drawn to a human protein hAMSH, a human gene encoding the human protein hAMSH, and a recombinant vector containing the hAMSH DNA.

Group 2, claim 6, drawn to an antibody against the human protein hAMSH.

Group 3, claims 7-11 and 14, drawn to a mouse protein mAMSH, a mouse gene encoding the mouse protein mAMSH, and a recombinant vector containing the mAMSH DNA.

Group 4, claim 12, drawn to an antibody against the mouse protein mAMSH.

The inventions listed as Groups 1-4 do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features for the following reasons:

The special technical feature of Group I which defines an advance over the art is the human protein hAMSH. This special technical feature is not shared by the products of Groups 2-

4. The antibody against the human protein hAMSH is not required for the products of Groups 1,

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3, and 4. The mouse protein mAMSH is not required for the products of Groups 1, 2 and 4. The antibody against the mouse protein mAMSH is not required for the products of Groups 1-3.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement may be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rachel B. Kapust whose telephone number is (703) 305-0634. The examiner can normally be reached on Mon-Fri 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gary Kunz can be reached on (703) 308-4623. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0196.

**RBK**